IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 55 OF 2006

SHRI MUKUND P. MORAJKAR, MAPUSA GOA. ....Petitioner

Versus

STATE OF GOA THROUGH ITS CHIEF SECRETARY, PORVORIM GOA. ....Respondent

Mr. V. A. Lawande, Advocate for the Petitioner
Mr. S.S. Kantak, Ag with Ms. R. Chodankar, Aga for the Respondent.

Coram:- A. P. LAVANDE &
N. A. BRITTO, JJ.

Date:- 20th March, 2006

P.C.:

The petitioner has filed this petition challenging the revocation of N.O.Cs. dated 14.02.2004 and 31.08.2004, consequent upon which the petitioner has been running Satpurush Bar & Restaurant at Peddem, Mapusa. The said N.O.Cs. were revoked on account of non-compliance of Notice dated 30.06.2005 issued by the Heath Officer. It was the case of the respondent that the exhaust pipe of the chimney provided by the petitioner to the kitchen of his Bar and Restaurant was creating nuisance and therefore Notice under Section 41 of the Public Health Act to abate the nuisance was issued.

Mr.Kantak, learned Advocate General appearing on behalf of the respondent has placed on record the copy of the Report dated 16.03.06 along with the letter dated 17th March, 2006 of the Goa State Pollution Control Board. The same are taken on record and marked 'X' for identification. According to the learned Advocate General, the nuisance has already been abated and the directions given by the Health Officer have already been complied. This position is not disputed by Mr.

Lawande, learned counsel appearing for the petitioner. The learned Advocate General makes a statement that the N.O.Cs. issued to the petitioner shall be restored.

In view of the above statement, nothing remains in the petition and the petition stands disposed of.

A. P. LAVANDE, J.

N. A. BRITTO, J.

sl.